

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DIANA PAUGELS,)
Plaintiff,)
)
) No. 08 CV 1861
v.) JUDGE MORAN
)
) MAGISTRATE JUDGE SCHENKIER
HARTFORD LIFE AND ACCIDENT)
INSURANCE CO,)
Defendant.)

**PLAINTIFF'S UNOPPOSED MOTION FOR AN EXTENSION
OF TIME WITHIN WHICH TO FILE PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT**

Plaintiff, DIANA PAUGELS, moves this Honorable Court, pursuant to Fed. Rule of Civil Proc. Rule 6(b)(1), for an extension of time through November 3, 2008 within which to file her motion for summary judgment and supporting memorandum. In support of this motion, Plaintiff states as follows:

1. Plaintiff's motion is due on October 3, 2008. Despite due diligence, Plaintiff will be unable to complete her motion for summary judgment and supporting memorandum by that date.
2. Due to preparing for two depositions scheduled for September 12, 2008 and September 16, 2008 in *Wagner v. Allied Pilots Association Disability Income Plan*, 08-cv-2750; drafting a Seventh Circuit reply brief due September 8, 2008 in *Leger v. Tribune Co. Long Term Disability Benefit Plan*, No. 08-1362; drafting a dispositive motion due September 19, 2008 in *Wagner v. Allied Pilots Association Disability Income Plan*, 08-cv-2750; drafting a Settlement Demand due September 11, 2008 in *Cipra v. Wells Farrgo Home Mortgage*, 08-cv-1480 along with a motion for fees due on September 9, 2008; drafting Plaintiff's response and reply brief

due September 12, 2008 in *Majeski v. Metropolitan Life Insurance Company*, 07-C-3206; preparing a reply to defendant's response to plaintiff's motion *in limine* with respect to the scope of damages due September 17, 2008 in *Lynch v. Midwest Emergency Associates, LTD.*, 04-cv-4353; and drafting a Seventh Circuit brief due October 14, 2008 in *Black v. Long Term Disability Insurance Milwaukee World Festivals, Inc., and Standard Insurance Co.*, 04-cv-1230, Counsel will be unable to complete the brief by the scheduled due date.

3. Due to the schedules of the other attorneys in the firm and the small size of the firm, no other attorney is able to complete the responsive brief before the current due date. Therefore, Counsel and his associates will be unable to submit the brief under the current schedule.

4. Plaintiff's counsel contacted defense counsel, Stuart F. Primack, who had no objection to the extension. Due to this extension, counsels agree to the following amended briefing schedule: Defendant's responsive brief due December 3, 2008 and Plaintiff's reply brief due December 17, 2008. Further, Plaintiff would have no objection to Defendant filing a motion for extension if necessary.

5. No prior extensions have been sought or granted.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant an extension of time within which to file Plaintiff's Motion for Summary Judgment and memorandum in support through November 3, 2008.

Pursuant to 28 U.S.C. §1746, the undersigned declares under penalty of perjury that the foregoing is true and correct.

Executed on: September 5, 2008

s/ Mark D. DeBofsky
Mark D. DeBofsky
Attorney for Plaintiff
Diana Paugels

Mark D. DeBofsky
Violet H. Borowski
Daley, DeBofsky & Bryant
55 W. Monroe St., Suite 2440
Chicago, Illinois 60603
(312) 372-5200 / FAX (312) 372-2778
E-mail: mdebofsky@ddbchicago.com

CERTIFICATE OF SERVICE

To: Stuart F. Primack
CHITTENDEN, MURDAY & NOVOTNY LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606

The undersigned attorney hereby certifies that on September 5, 2008, he electronically filed the foregoing PLAINTIFF'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT with the Clerk of the Court using the CMF/ECF filing system, which sent notice of such filing to the above named attorney, and that I hereby certify that I have mailed via the United States Postal Service the document to the following non-CMF/ECF participants: N/A.

DALEY, DE BOFSKY & BRYANT
55 W. Monroe St., Suite 2440
Chicago, Illinois 60603
(312) 372-5200/ (312) 372-2778 (fax)

s/ Mark D. DeBofsky
Mark D. DeBofsky
Attorney for Plaintiff